

AFFIDAVIT OF SERVICE

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

FILED ON: February 26, 2008

INDEX NO.:
CASE NO.: 08 CIV 1894

LOCAL 456, INTERNATIONAL BROTHERHOOD OF TEAMSTERS,

Plaintiff(s) - Petitioner(s)

-VS-

ALL ROCK CRUSHING, INC.,

Defendant(s) - Respondent(s)

STATE OF NEW YORK

COUNTY OF WESTCHESTER

I, John Catlin being duly sworn, deposes and says that deponent is over the age of eighteen years, is not a party in this proceeding and resides in New York State.

On March 6, 2008 at 2:10 PM

Deponent served the within SUMMONS IN A CIVIL ACTION AND COMPLAINT

upon ALL ROCK CRUSHING, INC., DEFENDANT

at address: 14A Crugers Station Rd.

City & State: Croton-on-Hudson, NY 10520

MANNER OF SERVICE

INDIVIDUAL By delivering a true copy of each to said recipient personally; deponent knew the person so served to be the person described as said recipient therein

1. ☐

CORPORATION a DOMESTIC corporation, by delivering thereto a true copy of each to MANUEL (SMITH) personally, deponent knew said corporation so served to be the corporation, described in same as said recipient and knew said individual to be MANAGING AGENT AND AUTHORIZED TO ACCEPT thereof

2. ☒

SUITABLE AGE

PERSON by delivering thereto a true copy of each to a person of suitable age and discretion. Said premises is recipient's

1. ☐

AFFIXING TO

DOOR, ETC.

4. ☐ Deponent was unable, with due diligence to find recipient or a person of suitable age and discretion, thereto, having called there. Deponent talked to premises who stated that recipient

MAILING TO

RESIDENCE

Use with 3 or 4

3a. ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first postpaid envelope properly addressed to recipient at recipient's last known residence, at and deposited said envelope in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State.

MAILING TO

BUSINESS

Use with 3 or 4

3b. ☐ Within 20 days of such delivery or affixing, deponent enclosed a copy of same in a first postpaid envelope properly addressed to recipient's actual place of business, at in an official depository under the exclusive care and custody of the U.S. Postal Service within New York State. The envelope bore the legend "Personal and Confidential" and did not indicate on the outside thereof, by return address or otherwise, that the communication was from an attorney or concerned an action against the recipient.

DESCRIPTION

Deponent describes the person actually served as:

Sex:	MALE	Skin Color:	TAN SKIN	Hair Color:	BLACK HAIR
Approx. Age:	21-35 YRS.	Approx. Height:	5'4"-5'8"	Approx. Weight:	100-130 LBS.
Other identifying features:					

WITNESS FEES:

\$ authorizing traveling expenses and one days' witness fee

MILITARY

SERVICE

I asked the person spoken to whether recipient was in active military service of the United States or of the State of New York in any capacity whatsoever and received a negative reply. Recipient wore ordinary clothes and no military uniform. The source of my information and the grounds of my belief are the conversations and observations above narrated. Upon information and belief I aver that the recipient is not in military service of New York State or of the United States as that term is defined in either the State or in the Federal statutes.

Sworn before me on:

March 7, 2008

AMY KING

Notary Public, State of New York

Reg. No. 01KI6149419

Qualified in Westchester County

Commission Expires July 10, 2010

JOHN CATLIN